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SIPDIS

DEPARTMENT FOR SCA/INS

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SUBJECT: GOVERNMENT OF SRI LANKA BANS LTTE

REF: COLOMBO 003

11. (U) SUMMARY: On January 7, the Government of Sri Lanka banned the Liberation Tigers of Tamil Eelam (LTTE). Under the ban's regulations, anyone found guilty of promoting, encouraging or aiding and abetting the LTTE would be sentenced to 20 years imprisonment. On January 8, Ambassador attended a briefing by the Foreign Minister at which he asked the FM what the ban meant for Government Agents (GAs) and the civilian population still in the Vanni. Minister Bogollogama responded that new regulations would permit continued GA contact with the LTTE for humanitarian reasons, but dodged the question of whether the ban would act as a disincentive to IDP movements out of Tiger-controlled areas. Bogollogama also restated the GSL's commitment to the 13th amendment on regional provincial-level administration but reported that President Rajapaksa was still considering when to roll out more ambitious devolution proposals. Bogollagama stated that the government did not support a Sinhalese supremacist party's proposed anti-conversion bill. The Foreign Minister commented that both Norway's facilitation efforts and the Co-Chair's role were independent of the now-defunct peace process and therefore should continue. He also stated that the Government was prepared to talk to the LTTE if they renounce violence and lay down arms. End summary.

GSL Bans LTTE

12. (U) As expected (ref A), the Government of Sri Lanka banned the LTTE at a cabinet meeting chaired by President Mahinda Rajapaksa on January 7. The order cited the LTTE for using civilians as human shields in embattled areas and endangering their lives, despite requests by the government to release them. The ban went into effect at midnight. The proscription will be enforced under sections of the Public Security Ordinance. The LTTE has been banned twice before by the Sri Lankan state in 1978 and 1998. The ban was lifted in 2002 following the Ceasefire Agreement (CFA) with the government that year.

13. (U) According to Senior Minister Maithripala Sirisena (also General Secretary of the President's Sri Lanka Freedom Party), the ban would make it an offense to become a member or a cadre of the LTTE or any of its affiliated organizations

or to provide leadership to them. The contribution of financial or material aid to the banned organization and the supply of goods, and the storage, transportation and distribution of them are also prohibited under the new regulations. It outlaws dissemination of propaganda or information on behalf of the LTTE or engaging in any other transactions with it. Under the ban's regulations, anyone found guilty of promoting, encouraging or aiding and abetting the LTTE could be sentenced to 20 years imprisonment.

Foreign Minister Dodges Ambassador's Question  
About Ban's Implications for Vanni's Population  
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14. (U) Ambassador attended a briefing by the Foreign Minister for the diplomatic community on January 8. In the Q and A session that followed Ambassador asked several questions. First did the ban mean that GSL officials who work in the Vanni such as Government Agents, who cannot do their jobs without coordinating with the LTTE, will no longer be authorized such contact? Similarly, will the proscription apply to the IDPs trapped in the Vanni since many necessarily have contact with the LTTE since family members have been forcibly conscripted? If so, won't the ban discourage them from moving into GSL-controlled areas? The Foreign Minister responded that the ban will not hinder contacts by Government officials involved in coordinating humanitarian relief efforts in LTTE-controlled areas. Regulations that are being drafted will ensure that. He avoided answering the IDP question directly, saying the Government will ask Government

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Agents to reassure the IDPs that they should move south. Ambassador urged that a public message be sent to the IDPs assuring them they won't be prosecuted if they move into GSL-controlled areas and will receive treatment according to international standards.

FM: Gov't Will Implement 13 Amendment;  
Opposes Religious Conversion Bill  
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15. (U) Ambassador then stated that President Rajapaksa has always said that the GSL will pursue a political solution once hostilities are over, presumably once the GSL has taken control of the Vanni. Yet the JHU and other hard-liners in the government are now advocating not only a military solution but a broader effort to curb Tamil nationalism, abolish the APRC, and advance an extreme religious conversion bill. There are also some who think the ban on the LTTE is part of that agenda and will be used to prosecute Tamils who may previously have had direct contacts with the LTTE. Ambassador said it would be helpful if the Government could reaffirm now whether it intends to pursue a political solution and what the broad parameters of that would be: implementation of the 13th amendment on provincial governments? Provincial council elections in the north along the eastern model? Conclusion of the All Party Representative Committee (APRC) process on further devolution of power? The Minister responded that in a diverse coalition government, there are many voices. President Rajapaksa has stated he will implement the 13th amendment and is looking at ways he can do that better. The Minister said the President also is committed to the APRC process but has not decided on the timing for rolling that out (implying it might be months or longer). On the Sinhalese supremacist JHU's proposed "anti-conversion" law, Bogollogama affirmed the bill is a "private" one which the Government opposes, as he said the President told the Vatican on his recent trip to Italy.

FM: Continued Role for Norway, Co-Chairs;  
GSL Ready to Talk if LTTE Disarms  
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16. (U) The Minister also was asked whether there is a continued role for the Co-Chairs, Norwegian Facilitator and

the Government Peace Secretariat, given the ban on the LTTE. The Minister responded that the Norwegian facilitation effort preceded the peace process, while the Co-Chairs are an independent mechanism, so the ban on the LTTE should have no bearing on Norway's facilitation or on the Co-Chairs' continued efforts. With respect to the Peace Secretariat, the Minister affirmed it will also be needed since the Government is prepared to talk to the LTTE if they renounce violence and lay down arms.

17. (SBU) COMMENT: Bogollogama gave vague and general answers on the most important issues - the way forward after the Government gains control over the Vanni, and how the GSL would work to encourage IDP movements out of LTTE territory. The ban, following the January 2008 abrogation of the CFA by the government, marks the final end of the already moribund peace process launched by the UNP-led government in 2002. Post remains concerned that the GSL lacks a clear strategy to deal with the aftermath of the semi-conventional conflict. Embassy's perspective on the way forward in this new environment and recommendations for U.S. policy will be reported septel.  
Blake